

STATEMENT BY CONGRESSMAN AL SWIFT
BEFORE THE COMPENSATION AND EMPLOYEE BENEFITS SUBCOMMITTEE
JUNE 27, 1985

MADAM CHAIR AND MEMBERS OF THE COMPENSATION AND EMPLOYEE BENEFITS SUBCOMMITTEE:

I AM PLEASED THAT THE SUBCOMMITTEE IS CONTINUING ITS EFFORTS TO BRING FAIRNESS AND EQUITY TO THE EARLY RETIREMENT ISSUE. AS YOU KNOW, ON FEBRUARY 7TH OF LAST YEAR YOUR SUBCOMMITTEE HELD AN EXTENSIVE HEARING ON A BILL I INTRODUCED TO BRING CUSTOMS AND IMMIGRATION INSPECTORS UNDER THE 6(C) EARLY RETIREMENT PROVISION OF CIVIL SERVICE. I BELIEVE WE MADE A GOOD RECORD THAT DAY, AND I'M GLAD THAT WE HAVE THIS OPPORTUNITY TO EXPAND UPON THAT RECORD. I AM HERE TODAY TO SPEAK ON MY BILL, HR 1518, WHICH CONTINUES IN THE 99TH CONGRESS WHAT WE BEGAN IN THE 98TH CONGRESS.

I WOULD BE REMISS IF I DID NOT ALSO TAKE THIS OPPORTUNITY TO COMMEND THE CHAIRMAN OF THE FULL COMMITTEE ON POST OFFICE AND CIVIL SERVICE, BILL FORD, FOR HIS WORK IN THIS AREA, INCLUDING THE HEARING HELD ON APRIL 25TH OF THIS YEAR ON THE EARLY RETIREMENT ISSUE. MUCH OF THE TESTIMONY AT THAT HEARING PARALLELED THE CASE THAT I HAVE TRIED TO MAKE FOR CUSTOMS AND IMMIGRATION INSPECTORS.

FOR EXAMPLE, THE FOREIGN SERVICE REPRESENTS THEIR OCCUPATION AS AN "INCREASINGLY ARDUOUS LIFE; THOSE WHO, AFTER A LONG AND VALUED CAREER, CANNOT CONTINUE TO MEET THOSE CHALLENGES SHOULD BE ABLE TO RETIRE VOLUNTARILY..."

THE FBI STATED THAT CONGRESS "RECOGNIZED THE NEED TO ENCOURAGE THE DEVELOPMENT OF A YOUNG AND VIGOROUS SPECIAL AGENT WORKFORCE CAPABLE OF PERFORMING PHYSICALLY ARDUOUS TASKS UNDER STRESSFUL CONDITIONS...(AND)...THE SPECIAL RETIREMENT BENEFITS HAVE HISTORICALLY PROVEN TO BE A VALUABLE INDUCEMENT IN THE RECRUITMENT OF HIGHLY QUALIFIED APPLICANTS."

SIMILAR COMMENTARY WAS RECEIVED FROM FEDERAL FIREFIGHTERS, AIR TRAFFIC CONTROL SPECIALISTS, THE CIA, AND OTHERS.

I AM STRUCK BY THE SIMILARITY OF ARGUMENTS ADVANCED BY SPOKESPERSONS FROM THOSE AGENCIES JUST REFERENCED, WITH THE ARGUMENTS ADVANCED BY ADVOCATES FOR EARLY RETIREMENT FOR CUSTOMS AND IMMIGRATION INSPECTORS AT LAST YEAR'S HEARING BEFORE THIS SUBCOMMITTEE.

FOR INSPECTORS ARE ALSO SUBJECT TO DANGERS, AND THE HAZARDS THEY FACE ARE SUCH THAT THEY CANNOT BE DISCOVERED PRIOR TO THE COMMENCEMENT OF THEIR DUTIES. IN THE EXAMINATION OF PERSONS, THE INSPECTOR IS ALWAYS FACED WITH THE POSSIBILITY THAT THE ARRIVING TRAVELER IS AN ARMED AND DANGEROUS FUGITIVE FELON WHO LOOKS AT THE INSPECTOR AS A ROADBLOCK BETWEEN FREEDOM AND APPREHENSION.

IN LAST YEAR'S HEARING A GROUP OF INSPECTORS' WIVES FROM MY DISTRICT GAVE WHAT I BELIEVE IS COMPELLING TESTIMONY ON THE HAZARDOUS DUTIES OF INSPECTORS. "THE INSPECTOR IS TRAINED TO MAKE A DETERMINATION BASED NOT ONLY ON WHAT IS SAID, BUT HOW IT IS SAID, MANNERISMS EXHIBITED...PROFILES LEARNED AND A HOST OF OTHER TECHNIQUES. IT IS VERY OFTEN THE INSPECTOR'S ABILITY AND HIS COWORKER'S ABILITY TO COME TO HIS AID WHICH MAKES THE DIFFERENCE BETWEEN LIFE AND DEATH. THE MENTAL AND PHYSICAL STRAIN THIS PLACES THE INSPECTOR UNDER IS ENORMOUS.

MULTIPLY THIS STRESS OVER A LONG PERIOD OF SERVICE, AND YOU CAN IMAGINE THE TOLL IT TAKES." IN CONTRAST, POLICE OFFICERS "ARE USUALLY ARMED WITH ARREST AND SEARCH WARRANTS BEFOREHAND, AND THEY HAVE INFORMATION ON THE SUBJECT TO BE ARRESTED--WHO HE IS, WHAT HIS KNOWN HABITS ARE, AND WHETHER OR NOT HE IS LIKELY TO BE ARMED. THEY KNOW WHEN AND WHERE THE ARREST WILL TAKE PLACE, AND THEY PLAN ACCORDINGLY, USUALLY MAKING SURE THERE WERE MORE OFFICERS THAN SUBJECTS PRESENT. THE INSPECTOR, HOWEVER, HAS NONE OF THESE LUXURIES. IT IS THE CRIMINAL WHO PICKS HIS TIME FOR THE CONFRONTATION, AND THE CRIMINAL APPROACHES THE INSPECTOR, KNOWING HE IS IN VIOLATION OF THE LAW, AND FULLY PREPARED TO PREVENT HIS ARREST AT ALL COSTS."

THE ARREST STATISTICS--WHILE NOT AS PERSONALLY COMPELLING--ARE ALSO GRAPHIC. CUSTOMS INSPECTORS MAKE IN THE ORDER OF 13,000 ARRESTS A YEAR, MANY OF THEM BASED IN PART ON INFORMATION FROM THE FBI'S NATIONAL CRIME INFORMATION CENTER. THE FBI STATES THAT CUSTOMS INSPECTORS MAKE MORE NCIC ARRESTS THAN ALL OTHER FEDERAL AGENCIES COMBINED, AND ALL OF THEM ARE FELONY ARRESTS. IMMIGRATION INSPECTORS HAVE LEAD RESPONSIBILITY FOR SCREENING INDIVIDUALS ENTERING OUR COUNTRY. IN PAST YEARS, MORE THAN ONE-HALF MILLION INADMISSIBLE ALIENS A YEAR HAVE BEEN INTERCEPTED AT PORTS OF ENTRY, MANY OF THEM USING FRAUDULENT OR COUNTERFEIT DOCUMENTS. THIS IS AN INCREASINGLY VOLATILE SITUATION, AND VIOLENCE AND ARREST RESISTANCE ARE A CONSTANT THREAT TO INSPECTORS.

WE HAVE SUPPLIED INSPECTORS WITH HIGH TECHNOLOGY TOOLS FOR CRIME DETECTION AND PREVENTION; WE HAVE FUNDED AGGRESSIVE AND EFFECTIVE SPECIAL INTERDICTION TEAMS TO COMBAT DRUGS, FELONS AND DEFENSE-RELATED CONTRABAND; AND WE HAVE DEMANDED OF CUSTOMS AND IMMIGRATION INSPECTORS--AND RIGHTFULLY SO--THAT THEY SERVE AS A FIRST LINE OF DEFENSE TO PROTECT THE INTEGRITY OF OUR BORDERS AND ENSURE THE VIGILANT AND ENERGETIC ENFORCEMENT OF OUR NATION'S LAWS. IF WE EXPECT THIS PUBLIC MANDATE TO BE MET, THEN WE NEED THE BEST PEOPLE FOR THE JOB. WITHOUT ENSURING THE ENTHUSIASM AND ESPIRIT DE CORPS THAT A YOUNG AND VIGOROUS WORKFORCE WILL BRING TO THE JOB, WE HAVE NOT DONE OUR BEST TO PROTECT OUR NATIONAL INTERESTS AND THE PUBLIC WELFARE.

AGAIN, MADAM CHAIR, THANK YOU FOR GIVING ME THIS OPPORTUNITY TO COMMENT ON THE ISSUE OF EARLY RETIREMENT FOR CUSTOMS AND IMMIGRATION INSPECTORS.